

SECRETBut DDS 55-1246
Accounting 3
St. Jones

12 July 1955

MEMORANDUM FOR: Colonel White

1. This concerns the claim of [REDACTED] for reimbursement in the amount of \$1,432.20 for the cost of round trip air travel for his wife and two children from [REDACTED] to the United States and return. DD/P-Admin denied a previous request for relief and the Inspector General found insufficient justification for an appeal to the Director.

2. The IG now requests that the DD/S review the case on the grounds that since the Agency does not pay additional compensation for service in such a precarious location, it should use its discretionary powers to the utmost in alleviating personal emergencies. The following is a brief of the circumstances leading up to the claim and a discussion of the attached IG's memorandum.

3. [REDACTED] his wife and two children were stationed in [REDACTED] and he was eligible for home leave in December 1953. The family knew that the wife's mother was to undergo a serious operation in the Fall of 1953, and there had been considerable discussion and correspondence on how the wife and two children could be brought to the United States at Agency expense. The file, however, indicates that the [REDACTED] had decided to make this trip even if they were forced to pay for it.

4. In an OUT cable dated 12 June 1953, Headquarters advised [REDACTED] that certain suggestions for the travel of [REDACTED] dependents were not feasible and proposed that [REDACTED] send his family home in advance of home leave, and that he return to Washington on 30 days TDY beginning 4 November, prior to home leave. On 15 June 1953, the wife received word that the date of the operation had been moved up to 17 June. [REDACTED] was away from his post on official business and the Agency advanced funds for the round trip air travel for his wife and two children, who departed [REDACTED] 16 June 1953. The operation was successful and the wife and children used the return ticket and arrived back in [REDACTED] on 4 August 1953, four months prior to the date of [REDACTED] eligibility for home leave.

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25X1A9a 5. On 25 November 1953, DD/P-Admin advised that after extensive legal review, if [REDACTED] would take his home leave alone, the Agency could pay the cost of transportation of his family to the States but since they had returned prior to his taking home leave, [REDACTED] would have to pay for their return trip. [REDACTED] claims this was the first time correspondence stated that dependent travel for the return trip could not be reimbursed if the dependents returned prior to employee's taking home leave. 25X1A9a 25X1A9a

25X1A9a 6. The file indicates that [REDACTED] did not take home leave in 1953 because (a) pressure of work at his post, and (b) that in addition to being separated from his family, it would cost an additional \$350 out-of-pocket which, when added to the cost of dependent travel from the United States to [REDACTED] (\$716.10) would leave him with an out-of-pocket cost of \$1,066.00. 25X1A6a

25X1A9a 7. On 2 September 1954, the EE Division submitted a claim for travel of [REDACTED] dependents to the IG. In a memorandum to EE dated 11 September 1954, the IG advised that a recommendation to the DCI that the round trip travel, completed by [REDACTED] dependents prior to his taking home leave constituted officially-approved travel at Government expense, could not be supported. To support his position, the IG quoted paragraphs 7b(1) and 7b(2) of Regulation [REDACTED], Confidential Funds Regulations, which read: 25X1A

"7b(1) Confidential Funds may not be used for the solution of administrative difficulties unless the factors of security or operations peculiar to this Agency fully support the expenditure and preclude the use of vouchered funds.

"7b(2) Confidential Funds must not be used to give the employees of CIA a preferred or preferential position of prestige or financial benefit in comparison to other Government employees."

25X1A 8. In a memorandum to the DD/S dated 1 July 1955, the IG states that from a legal and administrative logic point of view, his 11 September 1954 decision denying the claim is beyond question. However, he points out that under paragraph 9a, Regulation [REDACTED], which reads as follows:

"The term 'unusual functions' as used herein is intended to differentiate the extraordinary problems of this Agency from the normal administrative or operating problems confronting the ordinary government agency."

there are equally valid reasons for supporting his approval of the claim.

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25X A6a 9. In support of his position, the memorandum points up that the ordinary Government agency does not have civilian personnel in [REDACTED] and that because of present conditions and future potential, the Agency has an operating problem which does not apply to other Government agencies. The memorandum concludes that since we do not award additional compensation for duty under such conditions, the Agency should use its discretionary powers to the utmost to assist personnel with legitimate personal emergencies.

25X1A6a 10. The suggestion that because an employee happens to be stationed in [REDACTED] should entitle him to preferential treatment over other Agency employees stationed overseas is unsound, illogical, and inequitable. In addition, it would give these employees preferential treatment over personnel of State, Defense, and other Government agencies with personnel located in [REDACTED]. This would, of course, be contrary to paragraph 7b(2) of Regulation [REDACTED] which the IG quoted in support of his previous position on this matter. 25X1A

25X1A6a 11. It is suggested that the IG be advised that while everyone is most sympathetic to the problems of Agency personnel and endeavors to do everything that is legal and administratively possible, the use of the Agency's discretionary powers to give relief to [REDACTED] would be inequitable to Agency personnel in other locations, to the personnel of other Government agencies, as well as that the use of these special powers for such a purpose was not contemplated under the statute. 25X1A9a

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Att to DDS 55-1246 Memo for DD/S from IG dtd 1JULY 55 "Relief under Agency Regulation [REDACTED], para 9a 'Spec. Authorizations--General Expenditure'."

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